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5 Attorneys for Fernando Rodriguez

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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 **(HONORABLE LARRY A. BURNS)**

11 UNITED STATES OF AMERICA,)

12 Plaintiff,)

13 v.)

14 FERNANDO RODRIGUEZ,)

15 Defendant.)
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Case No. 08CR2268-LAB

DATE: August 25, 2008

TIME: 2:00 p.m.

**AMENDED EXHIBIT B TO MOTIONS TO
SUPPRESS EVIDENCE DUE TO FOURTH
AMENDMENT VIOLATIONS, ETC.**

EXHIBIT B

ERICK L. GUZMAN
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Attorneys for Mr. Rodriguez

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE LARRY A. BURNS)

UNITED STATES OF AMERICA,)	CASE NO. 08CR2268-LAB
)	
Plaintiff,)	
)	DECLARATION OF FERNANDO
v.)	RODRIGUEZ
)	
FERNANDO RODRIGUEZ,)	
)	
Defendant.)	

I, FERNANDO RODRIGUEZ, state as follows, under penalty of perjury:

1. I drove to the Highway 86 checkpoint on July 29, 2008.

2. When the agent approached me, he stated that I matched the characteristics of someone they were waiting for.

3. Border Patrol agents took me inside of an office at the checkpoint. I did not feel free to leave this office. At this point, the agents asked me if they could search my truck.

4. Border Patrol agents placed me inside of a small room, with my back against the wall. There were two agents, and both were tall.

1 5. I felt very nervous and pressured. The agents told me that they would help me if I spoke with
2 them.

3 I swear that to the best of my knowledge and memory, the foregoing is true and correct this 05 th
4 day of August, 2008.

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7 **Fernando Rodriguez**
8 Declarant
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Attorneys for Mr. Rodriguez

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE LARRY A. BURNS)

UNITED STATES OF AMERICA,)	CASE NO. 08CR2268-LAB
)	
Plaintiff,)	
)	DECLARATION OF FERNANDO
v.)	RODRIGUEZ
)	
FERNANDO RODRIGUEZ,)	
)	
Defendant.)	

I, FERNANDO RODRIGUEZ, state as follows, under penalty of perjury:

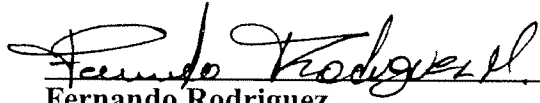
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE LARRY A. BURNS)

UNITED STATES OF AMERICA,)	Case No. 08CR2268-LAB
)	
Plaintiff,)	
)	
v.)	CERTIFICATE OF SERVICE
)	
FERNANDO RODRIGUEZ,)	
)	
Defendant.)	

Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best of his information and belief, and that a copy of the foregoing document has been served this day upon:

Rebecca Kanter
Rebecca.Kanter@usdoj.gov,glory.rascon@usdoj.gov,efile.dkt.gc1@usdoj.gov

Respectfully submitted,

DATED: August 6, 2008

/s/ Erick L. Guzman
ERICK L. GUZMAN
Federal Defenders of San Diego, Inc.
Attorneys for Fernando Rodriguez